

**SKAGIT COUNTY
OFFICE OF THE HEARING EXAMINER**

re: The Appeal of Notice of Violation
Decision by Skagit County Public Health on
2/26/25 by **Tulip Time, LLC**

Health APL 25-0001

3RD POST CONFERENCE ORDER

Clerk's Action required at §§3(a) & 4

All Party Action required at §§3(b) & 5

*Department Action required at §2 at
12(a), fn. 1*

The Hearing Examiner having conducted a pre-hearing conference on this date with the parties;
and with the authority pursuant to the Skagit County Hearing Examiner's Rules of Procedure
(SCRE) §10 and 24; the Hearing Examiner hereby further orders, modifying prior orders:

ORDER

1. Applicable Law Agreed to by the Parties as to the Scope of Appeal and Hearing:

See 2nd Post Conference Order of 1/16/26

2. The Current Record

As identified by the Office of the Hearing Examiner, the record of this case,
and agreed to by the parties, is as follows thus far:

- 1.** Tulip Time Pump Report, *dated* 5-21-24
- 2.** Tulip Time Notice of Deficiency, *dated* 7-24-24
- 3.** Tulip Time Pump Report, *dated* 8-20-24

4. 1st Letter Notification of Failure, *dated* 9-10-24
5. Tulip Time Follow up Report, *dated* 10-23-24
6. 2nd Letter – Notice of Violation, *dated* 2-26-25
7. 3rd Letter – Notice of Fine Accumulation, *dated* 5-2-25
8. Tulip Time HO Appeal, *filed* 5-27-25
9. Tulip Time 12637 Pulver Rd Appeal HO – Staff Report, *dated* 8-26-25
10. Tulip Time 12637 Pulver Health Officer Decision, *entered* 8-28-25
11. HO Decision – Tulip Time – Pulver appeal. W Cert Ltr, *dated* 8-28-25
12. Board of Health Appeal Form – Blank, 12-5-25 – to be substituted
 - a. **Substituted Document¹**
13. Tulip Time Pulver BOH appeal form – filled form, *filed* 9-18-25
14. Tulip Time LLC Property Status Updates, *undated, last entry* 9/18/25
15. Health Department’s Motion for a Pre-Hearing Conference, *filed* 11/20/25
16. Procedural Order in Response to Party Filing, *entered* 11/21/25
17. Parties Stipulation in Response to The Hearing Examiner[s’] Procedural Order of November 21, 2025, *filed* 11/25/25
18. 2023 Aerial Photograph, *filed* 12/9/25
19. Department’s Pre-Hearing Memorandum, *filed* 12/9/25
20. Appellant’s Pre-hearing Memorandum, *filed* 12/9/25
21. 1st Post Conference Order, *entered* 12/9/25
22. 2nd Post Conference Order, *entered* 1/16/26
23. Appellant’s 2nd Pre-hearing Memorandum, *filed* 2/17/26
24. Department’s 2nd Pre-Hearing Memorandum, *filed* 2/20/25
25. Continuance Order, *entered* 2/26/26
26. This Order.

To be corrected by the Clerk as needed by way of an emailed copy of the Exhibit List to all parties.

3. Motion Hearing:

- a. If needed, to held virtually on **June 8, 2026** at **1:30 p.m.** to be held by video conferencing arranged by the Clerk of the Office of the Hearing Examiner.
- b. Parties will need to file any motions and responses pursuant to the timelines outlined in the SCRE §25, meaning motions should be filed by **May 7th, 2026**.

¹ In the 1st Post Conference Order, *entered* 12/12/25 at §3(a) the Department was ordered to “file with the Office of the Hearing Examiner, and send copies to the attorney for the Appellant, the following documents, by December 17, 2025: a substitute **Exhibit 12** that reflects the true Board of Health Appeal Form as filed by the Appellant.” **The Department should file a Status Report by 4/7/26 as to whether this has been complied with or why it has not been complied with.**

4. Final Hearing:

- a. The Final Hearing on this matter is set for **Friday, July 10th, 2026 at 8:30 am** in Skagit County Council Chambers, **in person**.

5. Briefing Schedule for Final Hearing:

- a. Staff Report, if any, will be filed by **May 29th, 2026**.
- b. Final Briefs, if any, will be filed by **June 12th, 2026**.
- c. Responses, if any, will be filed by **June 25th, 2026**.
- d. Replies, if any, will be filed by **July 2nd, 2026**.

SO ORDERED this 10th day of April 2026.



Rajeev D. Majumdar
Skagit County Hearing Examiner